

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON; STATE OF
ARIZONA; STATE OF ILLINOIS; and
STATE OF OREGON,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity
as President of the United States; U.S.
DEPARTMENT OF HOMELAND
SECURITY; BENJAMINE HUFFMAN, in
his official capacity as Acting Secretary of
Homeland Security; U.S. SOCIAL
SECURITY ADMINISTRATION;
MICHELLE KING, in her official capacity
as Acting Commissioner of the Social
Security Administration; U.S.
DEPARTMENT OF STATE; MARCO
RUBIO, in his official capacity as Secretary
of State; U.S. DEPARTMENT OF
HEALTH AND HUMAN SERVICES;
DOROTHY FINK, in her official capacity
as Acting Secretary of Health and Human
Services; U.S. DEPARTMENT OF
JUSTICE; JAMES MCHENRY, in his
official capacity as Acting Attorney
General; U.S. DEPARTMENT OF
AGRICULTURE; GARY WASHINGTON,
in his official capacity as Acting Secretary
of Agriculture; and the UNITED STATES
OF AMERICA,

Defendants.

NO. 2:25-cv-00127

DECLARATION OF
DR. SHELLEY LAPKOFF

1 I, Shelley Lapkoff, declare as follows:

2 1. I am over the age of 18, competent to testify as to the matters herein, and make
3 this declaration based on my personal knowledge. If called to testify as a witness, I could and
4 would testify competently to the matters set forth below.

5 2. I am a Senior Demographer at National Demographics Corporation (NDC),
6 which I joined in 2023. Founded in 1979, NDC is a firm dedicated to providing research and
7 analysis services on demographic, districting, and redistricting issues to a variety of
8 governmental and non-governmental clients. At NDC, as I have for more than 30 years, I
9 specialize in conducting demographic and political redistricting analyses. Within the field of
10 demography, my area of expertise is applied demography, which includes the analysis of client
11 and third-party data, such as Census Bureau counts and estimates, data from state, federal and
12 local governments, and data from other research organizations.

13 3. Prior to joining NDC, I earned a Ph.D. in Demography in 1988 and an M.A. in
14 Economics from the University of California, Berkeley in 1984. I received a B.A. with Honors
15 in Economics from the University of Maryland, College Park, in 1976. While in graduate school,
16 I founded my own demographic consulting firm, Lapkoff Demographic Research (LDR), in
17 1985, which provided consulting services and demographic analyses to government and non-
18 governmental clients. In 1992, LDR subsequently became Lapkoff & Gobalet Demographic
19 Research, Inc. (LDGR). And just recently, in 2023, LDGR merged with NDC. Additionally, I
20 have taught Applied Demography and presented seminars in the U.C. Berkeley Demography
21 Department. I have also been active in the Population Association of America (PAA) and have
22 been Chair of the PAA Committee on Applied Demography.

23 4. I served as one of the principals of LDGR from its inception until joining NDC.
24 As President of LGDR and as a Senior Demographer with NDC, I have conducted and overseen
25 many demographic research projects. As a consultant and practitioner of applied demographics,
26 I help diverse types of clients. The work includes developing new methods (including

1 mathematical models) to forecast population and housing occupancy; assembling and analyzing
2 demographic data; evaluating demographic trends; preparing written reports on the findings; and
3 making presentations on a variety of matters.

4 5. At LGDR and now NDC, I have worked with more than 20 school districts,
5 including the large San Francisco and Oakland Unified School Districts, many cities, special
6 districts, and county boards of supervisors. National-level clients have included non-profits (Girl
7 Scouts of the United States, United Way Worldwide) and the U.S. Department of Justice. These
8 projects have often used client and third-party data, such as Census Bureau American
9 Community Survey data, data from state and federal government (especially birth data from the
10 National Center for Health Statistics), and from research organizations like Pew Research
11 Center.

12 6. I have worked with dozens of clients providing political redistricting services
13 after the 1990, 2000, 2010, and 2020 decennial Censuses. These types of demographic and
14 redistricting analyses have required expert use of Census data, including the American
15 Community Survey, and Geographic Information Systems (GIS) software.

16 7. Over the years, I have served as an expert witness in several cases that involved
17 demographic analyses, including issues such as racial and disability discrimination cases,
18 housing discrimination against households with children cases, evaluations of school
19 desegregation plans, political redistricting that conforms to civil rights legislation and court
20 decisions, and developer fee justifications for school districts, among others.

21 8. Attached as **Exhibit A** is a copy of my curriculum vitae listing my full experience,
22 prior publications, and list of cases where I have submitted a declaration or participated as a
23 consultant.

24 9. NDC was retained by the State of Washington to determine the possible impact
25 of a revocation of birthright citizenship in Washington and other states. NDC was asked to
26 estimate the annual number of births to women who are unauthorized immigrants in Washington

1 and other states, and if possible, the number of births in which both the mother and father were
2 unauthorized immigrants. Under my direction and supervision, NDC prepared the analysis and
3 report attached as **Exhibit B**, which reflects NDC's estimate of the number of such births
4 nationally and in Washington, Arizona, Illinois, and Oregon. The report details NDC's estimates,
5 the methodology used, and the data sources and additional materials consulted and relied upon.
6 It explains in detail the analysis and calculations for Washington and provides in Appendices C-
7 F the calculations for our nationwide estimates, as well as the estimates for Arizona, Illinois, and
8 Oregon based on the same methodology and data sources.

9 10. **Nationwide.** As explained in our report, we estimate that in 2022, there were
10 255,000 births to unauthorized mothers in the United States. We further estimate that there were
11 approximately 153,000 births in which both parents were unauthorized. Our nationwide
12 calculations are detailed in Appendix C.

13 11. **Washington.** With respect to Washington, as explained in our report, we estimate
14 that in 2022, the last year for which complete data are available, there were approximately 7,000
15 births to unauthorized mothers in Washington. That represents 30 percent of births to all foreign-
16 born mothers and eight percent of all births to Washington residents. We further estimate that
17 there were approximately 4,000 births in which both parents were unauthorized, representing 17
18 percent of births to all foreign-born mothers, and five percent of all births to Washington
19 residents. In conducting our analysis, we reviewed data from a variety of independent sources as
20 well as official federal and state government databases in an effort to best estimate using reliable
21 sources the number of births to unauthorized mothers and parents. Our methodology, data
22 sources, and full analysis are explained further in our attached report.

23 12. NDC has also performed the same analysis for the number of births in Arizona,
24 Illinois, and Oregon. Our analysis for these states used the same methodology and data sources
25 as the Washington calculations.
26

1 13. **Arizona.** As shown in Appendix D to our report, we estimate that in 2022, the
 2 last year for which complete data are available, there were approximately 6,000 births to
 3 unauthorized mothers in Arizona. We further estimate that there were approximately 3,400 births
 4 in which both parents were unauthorized. In conducting our analysis, we reviewed data from a
 5 variety of independent sources as well as official federal and state government databases in an
 6 effort to best estimate using reliable sources the number of births to unauthorized mothers and
 7 parents in Arizona.

8 14. **Illinois.** Likewise, as shown in Appendix E, we estimate that in 2022, the last
 9 year for which complete data are available, there were approximately 9,100 births to
 10 unauthorized mothers in Illinois. We further estimate that there were approximately 5,200 births
 11 in which both parents were unauthorized. In conducting our analysis, we reviewed data as with
 12 other states, including data from a variety of independent sources as well as official federal and
 13 state government databases in an effort to best estimate using reliable sources the number of
 14 births to unauthorized mothers and parents in Illinois.

15 15. **Oregon.** We conducted the same analysis for Oregon. As shown in Appendix F,
 16 we estimate that in 2022, the last year for which complete data are available, there were
 17 approximately 2,500 births to unauthorized mothers in Oregon. We further estimate that there
 18 were approximately 1,500 births in which both parents were unauthorized. For our Oregon
 19 calculation, like other states, we reviewed data from a variety of independent sources as well as
 20 official federal and state government databases in an effort to best estimate using reliable sources
 21 the number of births to unauthorized mothers and parents in Oregon.

22 16. I have reviewed President Trump's Executive Order, "Protecting the Meaning
 23 and Value of American Citizenship," which states that birthright citizenship does not extend to
 24 children who are born to (1) a mother who is unlawfully present in the United States and a father
 25 who is a not a citizen or lawful permanent resident at the time of said person's birth; or (2) a
 26 mother lawfully present but here on a temporary basis and a father who is not a citizen or lawful

1 permanent resident at the time of said person's birth. The analysis described here and in NDC's
2 report addresses only a subset of children likely covered by the Executive Order. At this time,
3 we do not have an estimate of the number of births from immigrants lawfully present in the
4 United States but here on a "temporary basis," which the Executive Order does not define. The
5 birth estimates provided above and in NDC's report are therefore lower than the full number of
6 children that would be affected by the Executive Order. In other words, our estimates reflect
7 only a conservative baseline of the number of children born in the United States and Washington,
8 Arizona, Illinois, and Oregon, who will be denied citizenship under the Executive Order.

9
10 ///

11 ///

12 ///
13
14
15
16
17
18
19
20
21
22
23
24
25
26

1 I declare under penalty of perjury under the laws of the State of Washington and the
2 United States of America that the foregoing is true and correct.

3 DATED and SIGNED this 20th day of January 2025, at Oakland, California.

4 
5
6 DR. SHELLEY LAPKOFF